

# NEW JERSEY CONSUMER RIGHTS GUIDE

**Division of Consumer Affairs**

**Includes a pullout  
complaint form and  
a chart to record  
your purchases.**



**Division of  
Consumer  
Affairs**

**800-242-5846 ■ [www.NJConsumerAffairs.gov](http://www.NJConsumerAffairs.gov)**



# A message from David Szuchman

Director, New Jersey  
Division of Consumer Affairs

“State consumer laws and regulations provide shoppers with certain rights and protections in the marketplace.

The ability to purchase a product at the price advertised or posted, or to obtain a raincheck when a product is sold out, are among the rights that New Jersey consumers have. Consumers also must be informed of a store’s refund policy.

Please review the information in this booklet to know your rights and how to file a complaint with the Division of Consumer Affairs if you believe a store or retailer has committed a violation.”



# ► We're Sold Out!

Under the New Jersey General Advertising Practices Act, advertisers must maintain and offer for immediate purchase advertised merchandise in quantity sufficient to meet reasonably anticipated demands.

## **Except:**

- On an in-store sign with no corresponding out-of-store sign
- When offered with specific quantity
- When available in a “limited supply” pursuant to a “closeout sale” or “clearance sale.”

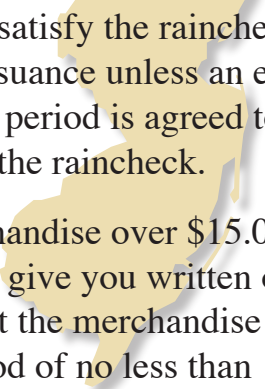


*For additional information, go to [NJConsumerAffairs.gov/ocp.htm](http://NJConsumerAffairs.gov/ocp.htm)  
Statutes (Consumer Fraud Act) and Regulations—N.J.A.C. 13:45A-9.2*

# Rainchecks?

All stores are not required to issue rainchecks. If they advertise rainchecks, they must issue you a written document allowing the purchase of the designated merchandise at a previously advertised price.

## **Stores must:**

- 
- ▶ Honor or satisfy the raincheck within 60 days of issuance unless an extension of such time period is agreed to by the holder of the raincheck.
  - ▶ For merchandise over \$15.00 per unit, they must give you written or telephonic notice that the merchandise is available for a period of no less than 10 days from notification.
  - ▶ Offer a raincheck to all customers who are unable, due to the unavailability, to purchase the advertised merchandise during the time period of the sale.

*For additional information, go to [NJConsumerAffairs.gov/ocp.htm](http://NJConsumerAffairs.gov/ocp.htm)  
Statutes (Consumer Fraud Act) and Regulations—N.J.S.A 56:8-2.28*

# ► It doesn't have a price?

New Jersey requires all merchants who sell, attempt to sell, or offer for sale any merchandise at retail, to affix to the merchandise the total selling price. This may be accomplished by plainly marking the item with a stamp, tag, label or sign, or the stamp, tag, label or sign clearly showing the total selling price may be located at the point where the merchandise is offered for sale.



*For additional information, go to [NJConsumerAffairs.gov/ocp.htm](http://NJConsumerAffairs.gov/ocp.htm)  
Statutes (Consumer Fraud Act) and Regulations–N.J.SA 56:8-2.5*

# ▶ How do I get a refund?

Each retail merchant must conspicuously post its refund policy on a sign at least at these locations:

- ▶ Attached to the item itself
- ▶ Affixed to each cash register or point of sale
- ▶ Clearly visible to the buyer from the cash register, or
- ▶ Posted at each store entrance used by the public.

The retail merchant must state whether the business issues refunds and under what conditions a refund will be given, including:

- ▶ merchandise advertised as “sale” merchandise or “as is”
- ▶ merchandise for which there is no proof of purchase
- ▶ beyond a point in time
- ▶ in cash, or as credit or store credit only.

Businesses with no posted refund policies shall be liable to the buyer, for up to 20 days from the date of purchase, for a cash refund or a credit, at the buyer’s option, provided the merchandise has not been used or damaged.

*For additional information, go to [NJConsumerAffairs.gov/ocp.htm](http://NJConsumerAffairs.gov/ocp.htm)  
Statutes (Consumer Fraud Act) and Regulations–N.J.SA 56:8-2.14*

# ► It did NOT ring up as marked!

The shelf price, advertised price or label price must match the scanner price on your receipt.

At gas stations, the price on the sign must match the price on the pump.

Check scales to make sure they are set to zero prior to weighing. Have the business subtract the tare weight of the container. Make sure that you always check for a current New Jersey Weights & Measures seal indicating that the scale has been tested.



# ▶ What do I need to know about Gift Cards or Gift Certificates?

- ▶ Gift Cards and Certificates are valid for a minimum time period of 24 months after purchase.
- ▶ Merchants can charge you up \$2.00 per month dormancy fee after 24 months if it is disclosed on the card/certificate along with a telephone number the consumer can call to check on the expiration date and dormancy fee.

# ▶ What do I need to know about shopping online?

- ▶ Paying by credit card is safer than paying by check or money order.
- ▶ Check for a secure Internet connection by looking for the picture of the closed lock or the words “Secure Socket Layer” (S.S.L.).
- ▶ Research the seller’s reputation by searching for comments, calling the telephone number listed on the site, and checking with the Division of Consumer Affairs for complaints.

*For additional information, go to [NJConsumerAffairs.gov/ocp.htm](http://NJConsumerAffairs.gov/ocp.htm)  
Statutes (Consumer Fraud Act) and Regulations—N.J.S.A 56:8-110*



# ► What do I have to lose at the gym besides weight?

You can lose your money if the gym is not registered with The N.J. Division of Consumer Affairs and you have signed up for a membership greater than three (3) months. Call (973) 504-6370 to check on your gym before you sign up.

***What should I leave the gym with when I sign up to join?*** Always leave with a copy of the contract. If they do not give you a copy, ask them to provide you with one: it's required by law.

***What should I do when my contract is about to end?*** You should always review your contract to see what the club's requirements are to cancel. Most clubs require that you give them notice. Please review your contract.

***What if I just joined the gym yesterday and then changed my mind?*** You have three days from the day you sign the contract to cancel, and that does not include Sundays or holidays.

*For additional information, go to [NJConsumerAffairs.gov/ocp.htm](http://NJConsumerAffairs.gov/ocp.htm)  
Statutes (Consumer Fraud Act) and Regulations—N.J.SA 56:8-110*

## RECORD YOUR PURCHASES

[illegible]

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[illegible]

# ▶ How do I file a complaint?

You may file a complaint online by visiting the New Jersey Division of Consumer Affairs Web site at:

**[NJConsumerAffairs.gov/ocp/ocpform.htm](http://NJConsumerAffairs.gov/ocp/ocpform.htm)**

or by completing the attached *Complaint Form*.

If you have any questions, call us toll free within New Jersey at **800-242-5846** or at **973-504-6200** from outside New Jersey.

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Division of Consumer Affairs

JON CORZINE, Governor  
ANNE MILGRAM, Attorney General  
DAVID SZUCHMAN, Director



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